



General Assembly

January Session, 2001

Amendment

LCO No. 6907

Offered by:

REP. LAWLOR, 99th Dist.

REP. FARR, 19th Dist.

REP. FELTMAN, 6th Dist.

SEN. COLEMAN, 2nd Dist.

SEN. KISSEL, 7th Dist.

To: House Bill No. 5850

File No. 336

Cal. No. 254

"AN ACT CONCERNING PEREMPTORY CHALLENGES IN A CIVIL ACTION."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 51-241 of the general statutes is repealed and the
4 following is substituted in lieu thereof:

5 On the trial of any civil action to a jury, each party may challenge
6 peremptorily three jurors. [Where] In any civil action in which the
7 court determines a unity of interest exists, several plaintiffs or several
8 defendants may be considered as a single party for the purpose of
9 making challenges, or the court may allow additional peremptory
10 challenges and permit them to be exercised separately or jointly. In any
11 civil action in which there is more than one plaintiff or more than one

12 defendant and the court determines that no unity of interest exists, the
13 court may reduce the total number of peremptory challenges allowed
14 to the plaintiff or plaintiffs and to the defendant or defendants to six
15 for all the plaintiffs and six for all the defendants, provided in no event
16 shall any one party have less than one challenge. In all civil actions, the
17 court shall allow an equal number of total peremptory challenges to
18 the plaintiff or plaintiffs and to the defendant or defendants. For the
19 purposes of this section, a "unity of interest" means that the interests of
20 the several plaintiffs or of the several defendants are substantially
21 similar.

22 Sec. 2. Subsection (a) of section 51-243 of the general statutes is
23 repealed and the following is substituted in lieu thereof:

24 (a) In any civil action to be tried to the jury in the Superior Court, if
25 it appears to the court that the trial is likely to be protracted, the court
26 may, in its discretion, direct that, after a jury has been selected, two or
27 more additional jurors shall be added to the jury panel, to be known as
28 "alternate jurors". Alternate jurors shall have the same qualifications
29 and be selected and subject to examination and challenge in the same
30 manner and to the same extent as the jurors constituting the regular
31 panel. In any case [when] in which the court directs the selection of
32 alternate jurors, each party may peremptorily challenge four jurors.
33 [Where] In any civil action in which the court determines a unity of
34 interest exists, several plaintiffs or several defendants may be
35 considered as a single party for the purpose of making challenges, or
36 the court may allow additional peremptory challenges and permit
37 them to be exercised separately or jointly. In any civil action in which
38 there is more than one plaintiff or more than one defendant and the
39 court determines that no unity of interest exists, the court may reduce
40 the total number of peremptory challenges allowed to the plaintiff or
41 plaintiffs and to the defendant or defendants to eight for all the
42 plaintiffs and eight for all the defendants, provided in no event shall
43 any one party have less than one challenge. In all civil actions, the
44 court shall allow an equal number of total peremptory challenges to
45 the plaintiff or plaintiffs and to the defendant or defendants. For the

46 purposes of this subsection, a "unity of interest" means that the
47 interests of the several plaintiffs or of the several defendants are
48 substantially similar."